

**AFFIDAVIT**

I, William P. Akins, a Postal Inspector with the United States Postal Inspection Service (USPIS), being duly sworn, depose and state:

**INTRODUCTION:**

1. I am a Postal Inspector with the United States Postal Inspection Service, in Tucson, AZ, and have been employed as such since February of 2019. Since February of 2019, I have been stationed at the Tucson, Arizona office of the Phoenix Division. I attended the fourteen-week training course at the United States Postal Inspection Service Academy in Potomac, Maryland. There I received training related to violations of federal law including assaults, robberies, and criminal investigations of narcotics trafficking via the United States Mail. Prior to becoming a Postal Inspector, I was employed as a United States Border Patrol Agent for approximately 13 years. Throughout my law enforcement career, I have had extensive training and experience investigating a variety of criminal violations including controlled substances. During my almost 16-year career as a Federal Law Enforcement Officer, I have been involved in numerous criminal investigations which have resulted in arrests, recovery of evidence and seizure of property. I have also written and executed numerous search warrants resulting in the seizure of thousands of dollars and controlled substances.

**DESCRIPTION OF SUBJECT PARCEL:**

2. This affidavit is made in support of an Application and Affidavit for a Search Warrant for a United States Postal Service (USPS) Priority Mail parcel. The

parcel has Tracking Number 9405 5368 9523 2843 3638 91, with prepaid postage and postmarked from Tucson, AZ 85716. It bears a return address of “PIXEL RICK LLC, 3855 RYAN RD, TUCSON, AZ 85716” and is addressed to “ROB NEWBERRY, 1108 OATLANDS PARK, LEXINGTON KY 40509-4506”. The parcel consists of a white, USPS Priority Mail Small Flat Rate shipping box. The box measures approximately 8” X 5” X 1”. It is hereafter referred to as “SUBJECT PARCEL 1”.

**BACKGROUND ON USPS DRUG INTERDICTION NEAR THE SOUTHWEST BORDER AND THE USPS DRUG MAIL PROFILING PROGRAM:**

3. From my training, personal experience, and the collective experiences related to me by other Postal Inspectors who also specialize in investigations relating to the mailing of controlled substances and the proceeds from the sale of controlled substances, I am aware that the southwestern international border is a leading area for the entry of controlled substances from Mexico into the U.S. Based on the large quantities of controlled substances entering southern Arizona, controlled substances are frequently transported from southern Arizona via the United States Mail to areas across the United States and Puerto Rico. It is also common for the proceeds from the sale of the controlled substances to be sent to southern Arizona via the United States Mail. By using the U.S. Mail to ship controlled substances, these drug traffickers put unknowing postal employees who handle and deliver those mailings at risk.

4. Based on the frequent use of the United States Mail for the shipment of controlled substances from southern Arizona, Postal Inspectors in Tucson and other locations near the southwest border routinely observe inbound and outbound mail articles for suspicious characteristics common to mailings of drugs and drug proceeds. While there are many characteristics that experienced inspectors look for, the most common characteristics found are:
  - a. Suspected parcels are mailed to or from known drug destination areas, primarily the large metropolitan areas in United States and Puerto Rico.
  - b. The sender names and addresses on drug or drug proceeds parcels routinely contain misspellings, incomplete, inaccurate, unauthorized and/or fictitious information.
  - c. A tracking number is used to provide the trafficker the ability to track the parcel's progress to the point of delivery.
  - d. The postage was paid with means which leaves no trail identifying the mailer.
5. Parcels found to meet some or all of the suspicious characteristics described in subsections "a" through "d" of this paragraph are further investigated by Postal Inspectors.

**INVESTIGATIVE DETAILS:**

6. On January 11, 2021, other law enforcement officers were conducting surveillance on a group of individuals who were previously identified as mailing controlled substances, specifically Alprazolam and Bromazepam

through the USPS. These suspects use a plethora of “business names” on the return address that have been identified as fake and linked to various parcels containing controlled substances. At approximately 3:00 p.m., one of the suspects drove to the Tucson Main Post Office located at 1501 S. Cherrybell Stravenue, Tucson, Arizona, 85726. The male suspect was seen entering the Post Office with USPS parcels. The male suspect departed the Post Office a few moments later without any parcels.

7. I contacted another Postal Inspector at the Tucson Main Post Office and asked him to look for newly dropped off parcels in the parcel bin. The Postal Inspector located “SUBJECT PARCEL 1” and set it aside for further inspection.
8. On January 12, 2022, I observed “SUBJECT PARCEL 1” and saw it had the following characteristics common to drug proceeds and drug parcels, namely:
  - a. It was mailed from Tucson, Arizona which is an area I know to be a source area for narcotics that are often shipped across the country.
  - b. The parcel had a tracking number. From my experience, I know that nearly all drug and drug proceeds parcels bear tracking numbers allowing the sender and receiver to track the progress of the shipment from origination to destination.
  - c. There were no telephone numbers listed on the mailing label for either the sender or addressee. In my experience, legitimate mailers who use the USPS Priority Mail service regularly include telephone numbers in the spaces provided on the label because they paid a premium price for

the service and want to be contacted to help facilitate a timely delivery should a problem arise. In my experience, Priority Mail parcels that I have seized drugs and/or drug proceeds from bore either no telephone numbers or listed fictitious telephone numbers.

- d. The postage for the parcel was paid for in a manner to conceal the identity of the mailer.
- e. The parcel contained a previously identified fake business name on the return address and had the same mailing characteristics associated to previous parcels which were seized with controlled substances, primarily Alprazolam and Bromazolam (Xanax).

9. Canine Examination:

- a. A canine examination was not conducted on the SUBJECT PARCEL 1 due to the fact not all the chemical components of pharmaceuticals are derivatives of one of the canine's trained odors. Pharmaceutical drugs are not necessarily illegal, but they are illegal to mail. To date, over 6,800 grams of Xanax has been seized with the same label profile as SUBJECT PARCEL 1.

10. Based on the facts set forth in this affidavit, I believe there is probable cause to show that the parcel contains controlled substances from the sale of controlled substances, constituting evidence of violations of Title 21, United States Code, Sections 841 (a) (1), Possession with Intent to Distribute a Controlled Substance, and 843 (b), Unlawful Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance.

22-00004MB

*William P. Akins*

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William P. Akins  
United States Postal Inspector

Subscribed and sworn to me telephonically on  
this 12<sup>th</sup> day of January, 2022

*Eric J. Markovich*

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Eric J. Markovich  
UNITED STATES MAGISTRATE JUDGE